

**Issue #51: Advertising Display Signs**

**§113.0103 Definitions**

*Advertising display sign* means a *sign* where the *sign copy* does not pertain to the use of the property, a product sold, or the sale or lease of the property on which the *sign* is displayed and which does not identify the place of business as purveyor of the merchandise or services advertised on the *sign*. Such *signs* include vehicle-mounted *signs and billboards* **and billboards**.

---

**Issue #52: Lot Line Adjustments**

**§125.0310 When a Lot Line Adjustment Is Required**

A Lot Line Adjustment is required when land is taken from one or more parcels and added to one or more ~~adjacent~~ **adjoining** parcels, provided that the adjustment would not result in the creation of an additional parcel.

---

**Issue #53: When a Neighborhood Use Permit is Required- Incorrect References**

**§126.0203 When a Neighborhood Use Permit Is Required**

- (a) An application for the following uses in certain zones may require a Neighborhood Use Permit. To determine whether a Neighborhood Use Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13.

Automobile service stations through Bed and breakfast establishments [No Change]

Boarding Kennels/Pet Day Care Facilities [See Issue #13]

Community Gardens [No Change]

~~Community identification signs~~ [See Issue #14]

Comprehensive Sign Plans [Issue #14]

Eating and drinking establishments through Employee Housing [No change.]

**Guest quarters**

Home occupations [No change.]

Neighborhood Identification Signs [See Issue #14]

**Outpatient medical clinics**

Parking facilities as a primary use through Pushcarts [No change.]

~~Reallocation of sign area allowance~~ [See Issue #14]

Recycling facilities through Theater marquees [No change.]

**Urgent Care Facilities**

Veterinary Clinics and Animal Hospitals [See Issue #13]

*Wireless communication facilities* [No change.]

(b) [No Change]

---

**Issue #54: Findings for Site Development Permit Approval- Incorrect Section References**

**§126.0504 Findings for Site Development Permit Approval**

A Site Development Permit may be approved or conditionally approved only if the decision maker makes all of the *findings* in Section 126.0504(a) and the supplemental *findings* in Section 126.0504(b) through ~~(n)~~ (b) that are applicable to the proposed *development* as specified in this section.

(a) through (k) [No change.]

(l) Supplemental Findings--Deviation for Affordable Housing

[First Paragraph No change.]

(1) though (2) [No change.]

(3) The deviation is necessary to make it economically feasible for the *applicant* to utilize an *density* bonus authorized for the *development* pursuant to Section 143.0730 **143.0725**.

(m) through (n) [No change.]

(o) Supplemental Findings- *Public Right-of-Way* Encroachments. A Site Development Permit in accordance with Section 126.0502(d)~~(6)~~(7) for any *encroachment* or object which is erected, placed, constructed, established or maintained in the *public right-of-way* when the *applicant* is not the *record owner* of the property on which the proposed *encroachment* will be located may be approved or conditionally approved only if the decision maker makes the following supplemental *findings* in addition to the *findings* in Section 126.0504(a):

(1) through (5)[No Change]

---

**Issue #55: Satellite Antennas**

**§131.0422 Use Regulations Table for Residential Zones**

The uses allowed in the residential zones are shown in the Table 131-04B.

**Legend for Table 131-04B**  
[No change]

**Table 131-04B**  
**Use Regulations Table of Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																							
	1 <sup>st</sup> & 2nd >>  3rd >>  4th >>	RE-	RS-														RX-		RT-						
		1-	1-														1-		1-						
		123123456789101112131411211234																							
Open Space through Residential [No change]																									
Institutional																									
Separately Regulated Institutional Uses																									
Airports through Major Transmission, Relay, or Communications Switching Stations [No change]																									
Satellite Satellite Antennas		L	L														L		L						
Social Service Institutions		-	-														-		-						
Wireless communication facility:																									
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use		L	L														L		L						
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use		N	N														N		N						
Wireless communication facility in the public right-of-way with above ground equipment		C	C														C		C						
Wireless communication facility outside the public right-of-way		C	C														C		C						
Sales through Signs [No change]																									

---

**Issue #56: Residential Zones- Missing Reference/Incorrect References**

**§131.0431 Development Regulations Table of Residential Zones**

The following development regulations apply in the residential zones as shown in the Table 131-04C, 131-04D, 131-04E, ~~and~~ 131-04F, ~~and~~ 131-04G.

(a) through (d) [No change.]

(e) RM Zones

**Table 131-04G** [No change]

Footnotes for Table 131-04G  
1 through 16 [No change.]

17 See Section 131.0444~~(f)~~ **(e)**

18 See Section 131.0444~~(e)~~ **(f)**

19 through 36 [No change.]

---

**Issue #57: Underground Parking Structure- Remove Italics**

**§131.0446 Maximum Floor Area Ratio in Residential Zones**

(a) through (d) [No change.]

(e) In the RM-1-2, RM-1-3, RM-2-4, RM-2-5, and RM-2-6 zones, a minimum of one-fourth of the permitted *floor area ratio* shall be reserved for required parking. If underground parking is provided, an area equal to the *gross floor area* of the underground parking may be added to the maximum *gross floor area* permitted for nonparking uses. The maximum *floor area ratio* for all *structures* on the *premises*, excluding ~~*underground parking structures*~~ **underground parking structures**, shall not exceed the maximum permitted *floor area ratio* for the zone as identified in Table 131-04G.

(f) In the RM-3-7, RM-3-8, RM-3-9, RM-4-10, RM-4-11, and RM-5-12 zones, a minimum of one-third of the permitted *floor area ratio* shall be reserved for required parking. If underground parking is provided, an area equal to the *gross floor area* of the underground parking may be added to the maximum *gross floor area* permitted for nonparking uses. The maximum *floor area ratio* for all *structures* on the *premises*, excluding ~~*underground parking structures*~~ **underground parking structures**, shall not

exceed the maximum permitted *floor area ratio* for the zone as identified in Table 131-04G.

(g) [No change.]

---

**Issue #58: College Area CPIOZ-Missing Reference**

**§132.1402 Where the Community Plan Implementation Overlay Zone Applies**

(a) [No change.]

**Table 132-14A**

**Community Plans with Property in the Community Plan Implementation Overlay Zone**

<b>Community Plan</b>	<b>Map Number Showing Boundaries of CPIOZ Area</b>
Clairemont Mesa (See Diagram 132.14A)	C-771.1, B-3951
<b>College Area</b>	<b>C-761.1</b>
Linda Vista (See Diagram 132-14C)	C-750
Midway/Pacific Highway Corridor (See Diagram 132-14D)	C-782
Navajo (See Diagram 132-14E)	C-779
Pacific Beach (See Diagram 132-14F)	B-3737I, B-3857
Peninsula (See Diagram 132-14G)	C-744, C-781
Rancho Bernardo (See Diagram 132-14H)	C-773.1
Rancho Penasquitos (See Diagram 132-14I)	B-4025
Skyline Paradise Hills (See Diagram 132-14L)	B-4272
Southeastern San Diego (See Diagram 132-14M)	B-4272
University (See Diagram 132-14J)	C-725, C-751.2
Uptown (See Diagram 132.14K)	C-780.2

(b) [No change]

Table 132-14B [No change]

---

**Issue #59: Requirements for Park and Recreational Facilities- Incorrect Reference**

**§142.0650 Requirements for Park and Recreational Facilities**

The provision of park facilities and the payment of park fees are required in accordance with Municipal Code ~~Chapter 6, Article 3, Division 4~~ **Chapter 9, Article 6, Division 4** (Development of Park and Recreational Facilities).

**Issue #60: General PDO Provisions- Incorrect References**

**§151.0201 Processing of Planned District Permits**

Planned district permits will be processed in accordance with the Land Development Code as follows:

- (a) through (c) [No change]
- (d) Where Section ~~151.0405~~ **151.0401** requires a Neighborhood Use Permit, an applicant shall apply for a Neighborhood Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 2 (Neighborhood Use Permit Procedures). The findings required for approval will be the general findings for Neighborhood Use Permits in Land Development Code Section 126.0205 and any additional findings provided in the planned district.
- (e) Where Section ~~151.0405~~ **151.0401** or the planned district requires a Conditional Use Permit, an applicant shall apply for a Conditional Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 3 (Conditional Use Permit Procedures). The findings required for approval will be the general findings for Conditional Use Permits in Land Development Code Section 126.0305 and any additional findings provided in the planned district.

---

**Issue #61: Carmel Valley PDO- Missing Reference**

**§153.0103 Applicable Regulations**

Where not otherwise specified or inconsistent with the Carmel Valley Planned District Ordinance, the following provisions of the Land Development Code apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews);

Chapter 13, Article 2 (Overlay Zone);

Chapter 14, Article 1 (Separately Regulated Use Regulations);

Chapter 14, Article 2, Division 1 (Grading Regulations);

Chapter 14, Article 2, Division 2 (Drainage Regulations);

**Chapter 14, Article 2, Division 4 (Landscape Regulations):**

Chapter 14, Article 2, Division 5 (Parking Regulations);

Chapter 14, Article 2, Division 6 (Public Facility Regulations);

Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage Regulations);

Chapter 14, Article 3 (Supplemental Development Regulations);

Chapter 14, Article 4 (Subdivision Regulations);

Chapter 14, Article 5 (Building Regulations);

Chapter 14, Article 6 (Electrical Regulations); and

Chapter 14, Article 7 (Plumbing and Mechanical Regulations).

Where there is a conflict between the Land Development Code and the Carmel Valley Planned District Ordinance, the Planned District Ordinance applies.

---

**Issue #62: La Jolla PDO – Incorrect References**

**§159.0307     Property Development Regulations**

No building or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used unless the lot or premises and buildings shall comply with the applicable development regulations. Please refer to Appendices B and C for illustrations of the development regulations.

(a) through (c) [No change]

(d)     Maximum Height

- (1)     The maximum height of any point on any structure shall be 30 feet. Height shall be measured in accordance with Land Development Code Section 113.0270 with the exception of Section 113.0270(a)(4)(B)(i) and ~~(5)~~ **113.0270(a)(2)(B)**. See Appendix B of the La Jolla Planned District.

(2) through (3) [No change]

(e) through (f) [No change]

**Issue #63: Mid City PDO- Incorrect References**

**§1512.0303 Residential Development Regulations**

(a) through (b) [No change.]

(c) Residential Density. One dwelling unit is permitted for each "X" square feet of lot area shown in the third column in Table 1512-03C.

**Table 1512-03C  
Residential Density**

<b>Zone</b>	<b>Lot Size</b>	<b>One Unit per "X" Sq. Ft.</b>
MR-3000	any size legal lot	3,000
MR-2500	any size legal lot	2,500
MR-1750	any size legal lot	1,750
MR-1500	any size legal lot	1,500
MR-1500B	less than 10,000 s.f.	1,500 <sup>(1)</sup>
MR-1500B	10,000 s.f. or more	1,250 <sup>(2)</sup>
MR-1250B	less than 10,000 s.f.	1,250 <sup>(2)(1)</sup>
MR-1250B	10,000 s.f. or more	1,000 <sup>(2)</sup>
MR-1000	any size legal lot	1,000
MR-1000B	less than 10,000 s.f.	1,000
MR-1000B	10,000 s.f. or more	800 <sup>(2)</sup>
MR-800B	less than 15,000 s.f.	800 <sup>(3)</sup>
MR-800B	15,000 s.f. or more	600 <sup>(2)(3)</sup>
MR-400	-	400

Footnotes for Table 1512-03C

<sup>1</sup> Remainder Lot Provision: If all properties abutting a MR-1500B or MR-1250B lot are developed at a density greater than one dwelling unit per 1,000 square feet, then the bonus density may be developed regardless of lot size.

<sup>2</sup> The bonus density given for parcel accumulation may be used only if at least 90 percent of all required resident parking is either underground or enclosed within the rear 50 percent of the lot,



or provided in some combination of those 2 formats.

<sup>3</sup> Exception. MR-800B zoned lots with a depth of less than 100 feet are permitted the bonus density of one dwelling unit per 600 square feet of lot area for lots 10,000 square feet or more.

#### **Issue #64: Old Town PDO – Incorrect References**

#### **§1516.0302 Property Development Regulations**

(a) through (e) [No change]

(f) Yard and Setbacks

(1) through (2) [No change]

**Table 1516-03D  
Yards and Setbacks**

Subarea	<del>Street</del> <sup>(1,2)</sup>		Side Yard <sup>(3)(4)</sup> (ft)	Rear Yard <sup>(4)</sup> (ft)
	Front (ft) <sup>(2)</sup>	Yard (ft) <sup>(1)</sup>		
Single-Family	15	10	4	4
Multi-Family	5	15	1-story <u>5</u>	1-story <u>5</u>
			2-story <u>10</u>	2-story <u>10</u>
			3-story 15	3-story 15
Rosecrans	15	20	1-story <u>5</u>	1-story <u>5</u>
			2-story <u>10</u>	2-story <u>10</u>
			3-story 15	3-story 15
Jefferson, Hortensia	10	0	1-story <u>5</u>	1-story <u>5</u>
			2-story <u>10</u>	2-story <u>10</u>
			3-story <u>15</u>	3-story <u>15</u>
Core	0 <sup>(5)</sup>	0 <sup>(5)</sup>	1-story <u>5</u>	1-story <u>5</u>
			2-story <u>10</u>	2-story <u>10</u>
			3-story 15	3-story 15

Footnotes for Table 1516-03D

<sup>1</sup> Street Yard Defined: The street yard is that area of a lot which lies between the property line abutting a dedicated public street and the street wall line. The street wall line is drawn along the first building wall that parallels the street frontage. The street yard area is calculated by multiplying the street frontage times the linear foot requirement specified herein (see Figure 1).

<sup>2</sup> Additional Corridor Front Yard: From property lines which abut the following streets the following front yard requirement shall prevail:  
Taylor - 30 feet.

Juan (between Taylor and Witherby) - 15 feet.

Congress (between the railroad tracks and Old Town Avenue) - 10 feet

Old Town Avenue (between San Diego Avenue and I-5) - 15 feet.

<sup>3</sup> Side Yard Exemption: For properties 50 feet or less in width the side yard requirement shall be: 1-story -- 3 feet, 2-story -- 6 feet, 3-story - 9 feet.

<sup>4</sup> Parking: In the side and rear yards, parking shall be permitted provided a five-foot-wide landscaped area separation is provided between the property line and the parking area.

<sup>5</sup> Street Wall Continuity: Along the minimum setback, paralleling the public right-of-way, 65 percent of this area shall be building wall.

(g) Archaeological and Historical Site Review and Designation

Archaeological review by an archaeologist certified by the Society of Professional Archaeologists or equivalent acceptable to the City manager is required for any project which disturbs the ground.

For any site that is identified as having archaeological or recorded evidence of a preexisting historical structure, settlement or event, application shall be made to the Historical Resources Board for designation and to the Board for determination on an acceptable manner of commemorating the historical value of the site. This might include a reconstruction if adequate plans remain, a partial reconstruction or monument.

(h) Hillsides/bluffs

No building shall be located on an existing grade 30 percent or greater. Hillsides 30 percent or greater in slope shall not be disturbed by construction nor obstructed by building, within 15 feet of the toe of the slope, of more than 20 feet in height (as shown in Figure 2). Development on slopes between 25 and 30 percent may be permitted consistent with Land Development Code Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

---

**Issue #65: Southeastern San Diego PDO- Incorrect Reference**

**§1519.0202 Southeastern San Diego Development Permit**

(a) through (c) [No change]

(d) — ~~A Southeastern San Diego Development Permit may not be granted for the~~

Draft September 17, 2010

~~development of a site with existing Municipal Code violations or to an applicant cited for Municipal Code violations, until said violations are remedied.~~

(e) **(d)** The Hearing Officer's decision on an application for a Southeastern San Diego Development Permit may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.

### **§1519.0205 Alcoholic Beverage Establishments**

(a) [No change]

(b) Alcoholic Beverage Sales for Off-Site Consumption

Establishments for which a Type 20 Beer and Wine License or a Type 21 General Liquor License has been obtained from, or for which an application has been submitted to, the California Department of Beverage Control, for permission to sell alcoholic beverages for off-site consumption are regulated by Section ~~151.0405~~ **151.0401** and Land Development Code Section 141.0502.

## **Article 19: Southeastern San Diego Planned District**

### **Appendix C.1: Alcoholic Beverage Establishments**

A. [No change]

### **B. ALCOHOLIC BEVERAGE SALES FOR OFF-SITE CONSUMPTION**

Establishments for which a Type 20 Beer and Wine License or a Type 21 General Liquor License has been obtained from, or for which an application has been submitted to, the California Department of Beverage Control, for permission to sell alcoholic beverages for off-site consumption are regulated by Section ~~103.0405~~ **151.0401** and Land Development Code Section 141.0502.

C. [No change]